IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
MONDAY, THE FOURTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE G. BIKSHAPATHY
and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT APPEAL NO : 791 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 23/01/2003 in WP NO : 12418 OF 1998 on the file of the High Court.)

Between:
1 Accounts Officer (A&I), APSRTC, Rajahmundry, East Godavari District
2 Regional Manager, APSRTC., Rajahmundry, East Godavari District
3 Vice-Chairman and Managing Director, APSRTC, Mushirabad, Hyderabad

..... APPELLANTS

AND

1 K.V. Ramana S/o Ramana Rao
R/o Rajahmundry, East Godavari District
2 M. Lakshmi,D/o Poleshwara Rao
R/o Rajahmundry, East Godavari District
3 T. Brahmanandam S/o Satyanarayana
R/o Rajahmundry, East Godavari District

.....RESPONDENTS

For the Appellant:MR.K.HARINATH

For the Respondent No.: MR.T.S.VENKATA RAMANA

The Court made the following:

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ORAL JUDGMENT: (per G.B. J.)

The Writ Appeal is filed against the orders passed by the learned single Judge in Writ Petition No.12418 of 1998, dated 23.1.2003.

2. The learned Standing Counsel Mr.K.Harinath, appearing for APSRTC., submits that the order of the learned single Judge is erroneous and contrary to the law laid down by the Supreme Court in catena of decisions. He submits that the regularization of services cannot be claimed as of right and therefore the order of the learned single Judge is liable to be set aside. In support of his contention he also relied on the decision of the Supreme Court in Civil Appeal No.2455 of 1999, dated 22.1.2004.

3. On the other hand the learned counsel for the workmen submits that the learned single Judge has allowed the Writ Petition in respect of the similarly situate persons who claimed regularization and out of the four Writ Petitions allowed by the learned single Judge, the APSRTC carried the matter in appeal in three Writ Petitions, and a Division Bench of this Court dismissed all the Writ Appeals and one such Writ Appeal is W.A.No.629 of 2003, dated 30.4.2003. Therefore, he submits that the matter is virtually covered by the decision of the Division Bench of this Court in Writ Appeal No.629 of 2003 and similar Writ Appeals. The learned Standing Counsel for the appellants, however, tried to convince this Court that the order of the learned single Judge is not sustainable as also the order of the Division Bench.

4. We are unable to appreciate the contentions raised by the learned Standing Counsel for the appellants. Out of the four Writ Petitions allowed by the learned single Judge, three Writ Appeals presented before the Division Bench were dismissed including Writ Appeal No.629 of 2003, and the present Writ Appeal is only remaining to be disposed of.

5. In view of the fact that a Division Bench of this Court already dismissed similar Writ Appeals, we are not inclined to admit this Writ Appeal.

6. Accordingly the Writ Appeal is dismissed at the admission stage. No costs.

14th June, 2004.

SSR

DEPUTY REGISTRAR

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